

Remarks/Arguments

Claims 1-7 and 9-16 are pending in the application. Claims 1-7 and 9-16 are rejected.

Rejection Under 35 USC §103(a)

Claims 1-3, 6, 7, and 9-12 have been rejected under 35 USC §103(a) as being unpatentable over Brady in view of Weiner. It is the Examiner's position that it would have been obvious to one skilled in the art to modify Brady to be flexible as taught by Weiner so that the display device of Brady may be conformable to a surface shape of an outer surface of an object. However, it is not clear how the Examiner proposes to modify Brady in order to conform to an object.

The present invention provides a device that is capable of conforming to an object and that displays an abstract visual, audio, or tactile representation of an input signal. The device may comprise an array of electroluminescence display devices (ELDs). Each ELD may include a cathode, a light emitting organic polymer layer, a transparent anode, an anode lead, and a cathode lead. Each ELD may be connected through a column decoder and a row decoder, which are connected to a display processor.

Brady discloses a display device (seen most clearly in Figs. 5A and 5B) comprising a rigid display base board 41. Individual lighting components include a colored light bulb source 44 surrounded by a geometrically shaped, frosted, plastic, or glass diffuser cover 42, 43. Light bulb 44 is mounted in a conventional light socket 45 on the display base board 41. Brady does not disclose an object on or about which the display device 41 may conform to display visual representations of audio signals. Furthermore, Brady is not flexible and cannot conform to an object. Weiner discloses a flexible substrate display 20/32 wherein all or a portion of the

substrate may comprise a display area, which may be in the form of electric paper employing twisted balls or cylinders.

One of the criteria necessary to establish a *prima facie* case of obviousness is that there must be a reasonable expectation of success of the proposed combination. It is not clear how the Examiner's proposed modification would successfully result in the structure as recited in any of the pending claims. As seen most clearly in Figs. 5A and 5B of Brady, the light bulbs and corresponding covers extend outwardly from base board 41. Therefore, even if base board 41 were flexible the resulting display device would not conform to an object as recited in claims 1 and 12 because of the outwardly extending light bulbs and covers. It is not clear from the Examiner's rejection whether or not he proposed to modify Brady by incorporating electric paper that employs twisted balls or cylinders as taught by Weiner. However, Applicant submits that, should this be the Examiner's position, the Examiner has failed to explain how such electronic paper could be successfully incorporated into Brady. For example, how would such electronic paper be activated? How would audio input line 11 connect to such electronic paper? Where or how would variable frequency clock 13 be incorporated, if at all? The Examiner has not explained how such a combination could be successfully achieved.

Furthermore, the resulting combination of Brady and Weiner would not result in a display apparatus comprising a first moldable layer having a plurality of light emitting devices on a surface thereof and a second moldable layer positioned on said plurality of light emitting devices, wherein the second moldable layer is manufactured from one of a transparent and translucent material as recited in claims 9 and 11.

Claims 4, 5, and 13-16 have been rejected under 35 USC §103(a) as being unpatentable over Brady in view of Weiner and Lebby. It is the Examiner's position that it would

have been obvious to one skilled in the art to further modify the combination of Brady and Weiner by the use of electroluminescent material or transistors as taught by Lebby. However, it is not clear from the Examiner's rejection how he proposes to further modify the combination of Brady and Weiner by incorporating electroluminescent material or transistors. Furthermore, claims 4, 5, and 13-16 either directly or indirectly depend from claim 1. Applicant's arguments regarding the combination of Brady and Weiner as applied to claim 1 are equally applicable here.

Since the Examiner has failed to establish a *prima facie* case of obviousness Applicant respectfully requests that the rejection of claims 1-3, 6, 7, and 9-12 be withdrawn.

Applicant respectfully submits that the finality of this Office action is premature. The Examiner's attention is directed to MPEP §706.07(a), which states that a final rejection is not proper where the Examiner has introduced a new ground of rejection that is neither necessitated by Applicant's amendments of the claims nor based on information submitted in an information disclosure statement. Claim 1 has been amended. However, independent claims 9, 11, and 12 are in their original form and have not been amended. The Examiner has rejected claims 9, 11, and 12 under new grounds of rejection that was not necessitated by amendment. Therefore, Applicant respectfully requests that the Examiner withdraw the finality of this Office action.

In view of the foregoing reasons for distinguishing over the cited references, Applicant has not raised other possible grounds for traversing the rejections, and therefore nothing herein should be deemed as acquiescence in any rejection or waiver of arguments not expressed herein.

CONCLUSION

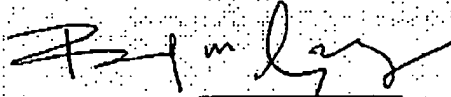
Applicant submits that in view of the foregoing arguments and/or amendments, the application is in condition for allowance, and favorable action is respectfully requested. The

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Commissioner is hereby authorized to charge any fees, including extension fees, which may be required, or credit any overpayments, to Deposit Account No. 50-1001.

Respectfully submitted,

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